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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 JAMES MORAN and PAMELA MORAN,

14 Defendants.

CASE NO. CR02-0423C

ORDER

15 This matter comes before the Court on Defendants James and Pamela Moran's motion to
16 modify their conditions of release. (Dkt. No. 1313.) Accompanied by the recommendations of the
17 United States Pretrial Services Officers in Seattle as well as those responsible for monitoring
18 Defendants in Colorado, Defendants request that the Court remove the condition that they be subject
19 to electronic monitoring pending appeal. The government opposes the motion, arguing that no
20 relevant facts have changed since Defendants were ordered released subject to electronic monitoring
21 before trial. (*See* Opp'n 5–6.)

22 Acknowledging the justifications for the original imposition and continuation of electronic
23 monitoring (*see* Dkt. Nos. 40, 41, 174, 611, 1153), the Court nonetheless finds that Defendants'
24 consistent post-sentencing conduct, combined with the recommendations of the responsible
25 probation officers, justifies the relief requested. *See* 18 U.S.C. § 3142(g)(3)(A) (factors include
26 "family ties," "community ties," "and record concerning appearance at court hearings").

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1 For these reasons, the Court hereby GRANTS Defendants' motion and ORDERS that their
2 condition of release requiring electronic monitoring be removed. All other conditions of release shall
3 remain in place pending appeal.

4 DATED this 14th day of April, 2006.

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6 A handwritten signature in black ink, appearing to read "John E. Coyner", is written over a horizontal line.

7 UNITED STATES DISTRICT JUDGE
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